

REMARKS

The Final Office Action mailed March 31, 2004 has been received and reviewed. Claims 57-89 are pending and are rejected. Claims 57, 60, 67, 75, 79 and 80 are amended. For the reasons stated herein, the Applicants submit that the claims are in condition for allowance.

Rejection Of Claims 58-62, 65, 66 and 83 Under 35 U.S.C. § 112, First Paragraph

Claims 58-62, 65, 66 and 83 are rejected under 35 U.S.C. § 112, first paragraph as containing subject matter which was not described in the specification in a manner to convey to one of skill in the art that the inventors had possession of the claimed invention at the time the application was filed. Specifically, the Examiner states that support could not be found for the following:

- i) "each component receiving the signal independently" from claim 58.
Support is found in paragraph [0024], which states "it is therefore sufficient that at least one of the components 5, 6, 7, 8 contain the turn-off code", and paragraph [0027], which states "[o]n the next attempt to start the vehicle, the components check with each other by a comparison 15 of their data, whether at least one of the components was able to receive a signal. . . ."
- ii) "the radio control signal being periodic." The Applicant respectfully submits that none of the cited claims contains that language. If the Examiner means to refer to the recitation of claim 59, the Applicants note that support for claim 59 is found in paragraph [0027], which states "[i]f not, then the user is signaled that radio contact must be made possible within a ceratin time period. . . ."
- iii) "the satellite being an airship" from claim 60. Claim 60 is amended.

- iv) "the satellite being used as a repeater." Respectfully, none of the claims cited contains such language and the Applicant is unsure to what the Examiner makes reference.
- v) "having disablement occur immediately" from claim 62. Support for claim 62 is found at paragraph [0023], which states "it is irrelevant whether the deactivation takes place immediately or only after a time. . . ." meaning that deactivation can take place immediately or after a time.
- vi) "transmitting the unique ID once" from claim 65. Support for claim 65 is found at paragraph [0019], which states "the identification number of the stolen unit is sent by one or more ground stations. . . ."
- vii) "transmitting the unique ID repeatedly [sic, periodically] " from claim 66. Support for claim 66 is found in paragraph [0019], which states "[t]he transmitter 2 now transmits this ID periodically. . . ."
- viii) "the component including decoder logic" from claim 83. Support for claim 83 is found in paragraph [0020], which states "[t]he receiver 32 of the decoder logic . . ." and in FIG. 1.

Rejection Of Claim 75 Under 35 U.S.C. § 112, Second Paragraph

Claim 75 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The rejection is overcome by amendment of the claim.

Rejection Of Claims 57, 58, 60-62, 64-71, 74-76 and 78-84 Under 35 U.S.C. § 103(a)

Claims 57, 58, 60-62, 64-71, 74-76 and 78-84 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop in view of Badger. The Examiner states that Bishop shows a vehicle device that includes a plurality of components that can receive and evaluate radio signals and deactivate the components in the system, and that Badger shows a vehicle-disabling system where a component receives a radio signal

from flying bodies and permanently disables one of a plurality of components, the disabled component having to be replaced thereafter. The Examiner states that Badger additionally shows a satellite, and the receivers of Badger include decoder logic. Therefore, the Examiner contends that it would have been obvious to have the disabling component disable multiple other components in the vehicle to eliminate the need for disabling elements in every component. The Examiner also states that having a check sum in a communication for error detection is known, that the term worldwide ID is equivalent to teachings in Badger and Bishop, and that paging signals are well-known. The rejection is overcome by clarifying amendment of the claims.

Claim 57 is amended to clarify that the object having a plurality of electronic operating components in electronic communication with each other are each an anti-theft component, any one of which may be activated to disable the object in the event of a theft. Support for the amendment is found principally at paragraphs [0010] and [0011], as well as throughout the specification. As such, amended claim 57 requires a plurality of anti-theft components in electronic communication with one another, any one or more of which may receive a radio signal to irreversibly disable the object. Bishop does not teach or suggest any such arrangement. Bishop discloses a plurality of electronic components, including two receivers a controller, a wireless transmitter and a switching device, which work in conjunction with each other to disable a function of a vehicle. Bishop suggests that the disabling assembly may be configured to disable different functions of the vehicle, but nowhere does Bishop teach or suggest that the various functions of the vehicle are in electronic communication with each other or that each function may be structured with the ability to receive a radio signal independent of another function. In fact, no cited reference teaches or suggests that claimed structure and configuration for carrying out the claimed method.

Further, Badger teaches an assemblage of electronic ignition components having one disabler device that disables the single assemblage to deactivate a vehicle.

Badger teaches the deactivation of one electronic component, namely the ignition system, by on disabling unit associated with the assemblage of ignition components. Nothing in Badger teaches or suggests a plurality of operating elements that are each anti-theft devices, which are each in electronic communication with each other and where each is capable of receiving a radio signal independent of the other operating components. Thus, while Badger may teach permanent disablement, neither Bishop nor Badger, alone or in combination, teach a method of irreversibly deactivating an object having a plurality of anti-theft operating components as claimed. Nor does any other cited reference teaches a plurality of operating components that are anti-theft components in electronic communication with each other and capable of receiving a radio signal responsive to a theft event for disabling the object. Therefore, claim 57, as well as claims 58-78 which depend from claim 57 and include the limitations thereof, are obviated by Bishop and Badger, either alone or in combination.

Amended claim 79 requires apparatus having a plurality of electronic operating components, each being capable of receiving a radio signal and each being in communication with each other. As stated previously, none of those elements in combination are taught or suggested by Bishop or Badger, alone or in combination. Nor are those features disclosed in any cited reference. Therefore, claim 79, and claims 81-89 that depend from claim 79, are not obviated by the cited references.

Rejection Of Claim 59 Under 35 U.S.C. § 103(a)

Claim 59 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop and Badger in view of Besharat. The Examiner states that Besharat, in an analogous art, shows an indication to the user that the communication device should be brought within range to improve normal operation of the device, and that it would be obvious to provide an out-of-range error indication. The rejection is overcome for the reasons stated above, namely that neither Bishop nor Badger, nor any other cited

reference, teaches or suggests that which is claimed. This is particularly true with respect to the requirement of claim 59 for the transmission of the radio signal to regularly monitor the plurality of electronic components. Thus, even if Besharat were to disclose an indicator system as suggested by the Examiner (which the Applicants do not concede that it does), the combination with Bishop and Badger would still not obviate that which is required by claim 59.

Rejection Of Claims 72 and 73 Under 35 U.S.C. § 103(a)

Claims 72 and 73 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop and Badger in view of Szarka. The Examiner states that in analogous art, Szarka shows a vehicle disablement system that uses an interrogation-response communication to determine location and authenticity of the vehicle to properly disable the vehicle, and that it would have been obvious to provide such an improved security in the disablement system. The rejection is overcome for the reasons stated previously with respect to the lack of teaching in either Bishop or Badger. In addition, Szarka teaches a system which is entirely distinct from that which is claimed. Specifically, Szarka teaches a system where a plurality of non-air borne transmitters transmit a continuous radio signal received by a vehicle such that only upon discontinuity of the radio signal is the vehicle disabled. Thus, even if Szarka were combinable with Bishop and Badger, which the Applicants submit that it cannot, the combination of references would still not obviate that which is required by claims 72 and 73.

Rejection Of Claims 85, 87 and 88 Under 35 U.S.C. § 103(a)

Claims 85, 87 and 88 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop and Badger in view of Kaish. The Examiner states that in analogous art, Kaish shows a disabling device that renders electronic appliances inoperable to dissuade theft. The Examiner takes official notice that the claimed

elements are common well known electronic appliances and it would have been obvious to modify the disabling system to render the electronic keys and smart cards inoperable to deter theft. The rejection is overcome for the reasons stated above with respect to the fact that neither Bishop nor Badger obviate claim 79. Additionally, Kaish discloses a method for rendering a device inoperative after the occurrence of a disabling event (see column 3, lines 55-56). Since the claims do not recite a two-step disablement and inoperative process, Kaish, even if combinable with Bishop and Badger, would not obviate claims 85, 87 and 88.

Rejection Of Claims 86 and 89 Under 35 U.S.C. § 103(a)

Claims 86 and 89 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop and Badger in view of Rohrbach. The Examiner states that in analogous art, Rohrbach shows a disabling device that renders portable telephone appliances inoperable to prevent theft and that it would have been obvious to use a modified disabling system to render a portable telephone appliance inoperable to deter theft. Claims 86 and 89 are not obviated by Bishop or Badger, alone or in combination, for the reasons stated previously. Neither does Rohrbach teach a disabling system comprising a plurality of components as claimed. Therefore, the combination of Rohrbach with Bishop and Badger would still not obviate claims 86 and 89.

Rejection Of Claims 63 and 77 Under 35 U.S.C. § 103(a)

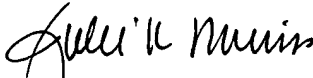
Claims 63 and 77 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Badger and Bishop as applied to claim 57 and further in view of U.S. Patent No. 5,532,690 to Hertel. The Examiner states that in analogous art, Hertel shows a vehicle disabling system that disables the vehicle after a time delay, and that it would have been obvious to have employed a time delay disabling device in a vehicle. Again, claims 63 and 77 are not obviated by Bishop and Badger for the reasons stated.

Additionally, Hertel teaches a means of disabling a vehicle upon the exceeding of a set boundary or upon entry into unauthorized territory which requires a monitoring and control system that is contrary to what is taught by Bishop and Badger. Therefore, the references cannot be combined as suggested and do not obviate that which is claimed.

CONCLUSION

In view of the arguments presented herein, the Applicants submit that claims 57-89 present patentable subject matter. Reconsideration and allowance are requested.

Respectfully submitted,



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Attachment: Replacement Sheet - Abstract of the Disclosure